IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.993 OF 2006

Narinder Kumar Vashist .. Petitioner.
Vs.
Dinesh Chandra Maingi & Anr. .. Respondents.

Mr.P.B.Naiknaware for the petitioner.
Mr.P.A.Pol A.P.P. for the State.

CORAM : D.B.BHOSALE, J.

DATED : 6TH JULY, 2006

P.C.:

. Heard learned counsel for the State.

2. This petition is directed against the order of issue of process in Criminal Case No.60/2006 pending on the file of JMFC Court, Dapoli, Dist.Ratnagiri against the petitioner. The petitioner has approached this court directly without exhausting an efficacious remedy of revision available under section 397 of the Code of Criminal Procedure before the Sessions Court against the impugned order. This Court in **V.K.Jain and Others Vs. Pratap V. Padode and Anr. 2005(3) Mh.L.J.778** while dealing with similar petition considered several judgments of the Apex Court and has held that the order of issue of process is not an interlocutory order and hence the revision against such order is maintainable. In the circumstances,

this petition is disposed of with liberty to the petitioner to file revision before the appropriate Court against the order impugned in the instant petition. If such revision is filed same may be considered in accordance with law.

(D.B.Bhosale, J.)